

MADISON COUNTY PLANNING BOARD

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Streamside Protection Steering Committee

Meeting Summary

Thursday March 20, 2008

First Madison Valley Bank, Basement Meeting Room, Ennis, MT

Attendance:

Planning Board Staff (2): Charity Fechter (planning director), Jim Jarvis (staff planner)
Steering Committee Members (9): Bill Mercer, Kelly Galloup, Richard Listner, Amy Robinson, Donna Jones, Gayle Schabarker, Pat Clancy, Chris Murphy, Jeff Laszlo
Audience (10): Sam Johnson, John East, Tikker Jones, Tom Stonecipher, Quin Diamond, Duane Thexton, Bonnie Workman, Ray Allison, Toby and Crystal Bachmann

The meeting was called to order at 6:30 pm by Charity Fechter with greetings and introductions exchanged.

Review Steering Committee Charter – C. Fechter directed the committee's attention to the proposed steering committee organizational charter contained within the project binders. The committee's mission statement, membership, role, and work plan were reviewed and discussed by the committee members. Donna Jones inquired if the mission could be amended by the steering committee. C. Fechter replied, yes - if the committee so decided. D. Jones inquired will comments from the public be supplied to the steering committee. J. Jarvis stated that a summary of public comments is being prepared and will be available by the next committee meeting, in addition to copies of the actual letters.

Review Background of Proposed Regulation – J. Jarvis gave a brief overview history of streamside protection regulations in Madison County and then reviewed the proposed resolution for greater detail. The intent of the proposal was to expand existing streamside protection regulations relating to subdivision to all Madison County streamside property east of the Tobacco Root and Gravelly Mountains. Numerous questions were asked by committee members.

Bill Mercer inquired who the author of the resolution was. J. Jarvis replied he was, with input from the planning director. The resolution was an effort to summarize existing documentation on the subject. D. Jones asked for clarification of the county commissioner's involvement in the proposed regulations. C. Murphy asked if a formal request was made to the commissioners to pursue this matter. C. Fechter and R. Listner referred to a resolution that was presented to the commissioners on October 23, 2007 by representatives of the Madison Valley Growth Solution Process on behalf of the public. D. Jones read a copy of the resolution to the committee. D. Thexton suggested the planning area map be updated to specifically identify streams proposed for regulation under this ordinance. J. Jarvis completed his presentation of the main points of the resolution.

D. Jones asked if a steering committee chairman would be selected. C. Fechter suggested a facilitator serve this role and in the interim while such a person is being found, she would act in this capacity. K. Galloup asked for clarification of the authors of the MV Growth Management Action Plan. The relationship between the MV Ranchlands Group and MV Growth Solution Process was reviewed by R. Listner and further discussed by J. Laszlo, B. Mercer, and C. Murphy. Concern was raised if the action plan represents a true consensus opinion of the general public. K. Galloup raised the questions, "what are the regulations meant to protect" and "what will the 500 foot setback accomplish". K. Galloup further inquired whether the proposed regulatory restrictions are

supported by environmental and economic data/studies. A. Robinson suggested that the regulations are a look-to-the-future and an effort to establish development policies that will protect the river 60-100 years from now. Bonnie Workman (audience member) suggested that it will be difficult to come up with one approach, i.e. fixed setbacks, to regulate land along the river due to its complex topography, geology, and water quality issues.

J. Jarvis began a section-by-section review of the proposed ordinance. Section 6 – General Standards raised several questions from the steering committee. C. Murphy inquired why the setbacks varied for certain rivers. J. Jarvis responded the variation was based on the different characteristics of the Madison River, big, wide, and lightly vegetated, versus the Big Hole River, narrow, confined, and generally heavily vegetated. Due to these types of differences a deeper, 500 foot setback was recommended for the Madison River (see 1994 MC Planning Board letter). B. Mercer asked for clarification relating to where and when these regulations would apply and why the rules that currently apply to a parcel of land should be allowed to change. K. Galloup asked for clarification about “grandfathering rules” and noted that he was informed his land was “grandfathered in” when he purchased it. C. Fechter explained that “non-conformance”, not grandfathering, was the appropriate term and the language within the current proposal can be changed based on public input. B. Mercer asked “beside viewshed, what do the regulations really accomplish if they only apply to the impacts of buildings; for example what about a hog farm and its potential impacts on water quality”. R. Listner agreed other land use impacts on the river should be considered in the future. J. Jarvis explained that in addition to viewshed protection, a 500 foot building setback on the Madison River would also provide some level of protection for water quality, riparian habitat, and channel migration/flooding. Section 8 – Special Conditions and Section 10 – Nonconformities were also identified as areas needing further clarification, specifically how to address the ability to rebuild or expand existing buildings and non-conforming lots, i.e. narrow lots less than 500 feet deep. J. Jarvis completed his cursory review of the ordinance. J. Jarvis concluded by describing the contents of the project binder and directed committee members to areas for additional information.

C. Fechter agreed to have more copies of the 1983 River Corridor Study made available for committee members. C. Fechter reviewed the products to be prepared and discussed at the next meeting including, amendment options for the areas identified above, an updated planning area map, a summary of public comments received, and copies of the actual public comment letters.

Next meeting date: April 8, 2008 at 6:30pm

Meeting adjourned: 8:40 pm